

BOARD OF LEGAL DOCUMENT PREPARERS

Meeting Agenda – Monday November 19, 2018

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 – 10:00 A.M. – Conference Room 109

General Inquiries Call: (602) 452-3378 (Certification and Licensing Division Line)

Members of the Public May Attend Meeting in Person

For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).

CALL TO ORDER..... Mary Carlton, Chair

1) REVIEW AND APPROVAL OF MEETING MINUTES.....Mary Carlton, Chair

1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of September 24, 2018.

2) PENDING COMPLAINTS.....Division Staff

2-A: Review, discussion and possible action regarding complaint numbers 18-L003, 18-L004 and 18-L005 involving certificate holders Shannon Trezza, Kameron Stiley and AZ Statewide Paralegal.

3) INITIAL CERTIFICATION AND ELIGIBILITY.....Division Staff

3-A: Review, discussion and possible action regarding the following applications for initial, individual, business entity legal document preparer certification:

- | | |
|------------------|---------------------------------|
| 1. Debra Allen | 7. Tammy Harman |
| 2. Silver Barton | 8. Heidi Curtis-Bernard |
| 3. Ana Guzman | 9. Nina Alley |
| 4. Ashley James | 10. Nicole Sears |
| 5. Amy Maine | 11. Jared Jeter |
| 6. Lindsay Brown | 12. Horizon Legal Planning, LLC |

4) RENEWAL CERTIFICATION APPLICATIONS.....Division Staff

4-A: Review, discussion and possible action regarding the following applications for renewal of individual and/or business entity legal document preparer certification:

- | | |
|--|--|
| 1. Fishgold Financial Services Limited | 3. Scottsdale Condominium Management, Inc. |
| 2. Irene Mayer | 4. Dawn Kaiser |
| | 5. TFC Ventures, Inc. |

5) CERTIFICATION AND ELIGIBILITYDivision Staff

5-A: Review, discussion and possible action regarding requests for Voluntary Surrender from Anthony Weber.

6) ADMINISTRATIVE ISSUES

CALL TO THE PUBLIC.....Mary Carlton, Chair

ADJOURN.....Mary Carlton, Chair

BOARD OF LEGAL DOCUMENT PREPARERS

Agenda Summary - Monday, November 19, 2018

1) REVIEW AND APPROVAL OF MEETING MINUTES

1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of September 24, 2018.

A draft of the regular session minutes for the meeting of September 24, 2018, has been provided for the Board's review and consideration.

BOARD OF LEGAL DOCUMENT PREPARERS

Agenda Summary – Monday November 19, 2018

2) PENDING COMPLAINTS

2-A: Review, discussion and possible action regarding complaint number 18-L003, 18-L004, 18-L005 involving certificate holders Shannon Trezza, Kameron Stiley and AZ Statewide Paralegal.

On June 5, 2018, Division received a complaint from Santa Cruz County Superior Court alleging AZ Statewide Paralegal had placed a “stop payment” on a check they issued for filing fees for one of their clients. AZ Statewide acknowledged the action but claimed it was the clients’ fault because he had paid for services fraudulently. AZ Statewide instructed the court that it was their responsibility to collect directly from the consumer. Santa Cruz County disagreed claiming it was AZ Statewides responsibility to pay since they submitted the documents.

The matter was investigated, and PC Evaluator Mike Baumstark determined PC does exist as to the allegations with respect to Shannon Trezza and AZ Statewide Paralegal, 18-L003 and 18-L005. Staff uncovered no evidence that Kameron Stiely, the individual that prepared the underlying documents, was involved in the stop payment of the check.

Recommendations:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Shannon Trezza and AZ Statewide Paralegal have committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 18-L003 and 18-L005.

It is further recommended the Board enter a finding grounds for formal disciplinary action exists regarding Shannon Trezza and AZ Statewide Paralegal pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6) for act(s) of misconduct involving violations of ACJA §§ 7-208(J)(1)(a) and 7-208(J)(5)(a) by issuing or causing to be issued a stop payment on a check issued to the clerk’s office and not correcting the matter once contacted by the clerk’s office.

It recommended the Board issue a Censure to Shannon Trezza and AZ Statewide Paralegal.

It is further recommended that the Board place Shannon Trezza and AZ Statewide Paralegal on Probation for the period of one year with the following terms: (i) within 30 days of the date of this order pay to the Santa Cruz County Clerk’s Office \$161 representing the filing fees plus any late fees, penalties and/or interest, and (ii) shall comply with all statutes, Court Rules and the ACJA.

It is further recommended that complaint number 18-L004, concerning Kameron Stiely, be dismissed.

BOARD OF LEGAL DOCUMENT PREPARERS

Agenda Summary – Monday, November 19, 2018

3) INITIAL CERTIFICATION AND ELIGIBILITY

3-A: Review, discussion and possible action regarding the following applications for initial individual and business entity legal document preparer certification and business entity exemption requests:

The following applicants have applied for initial individual legal document preparer certification. The applicants have successfully passed the program examination and have submitted complete applications demonstrating that they meet the minimum education and experience requirements.

The Division recommends approval of initial legal document preparer certification for the following applicants:

1. Debra Allen
2. Silver Barton
3. Ana Guzman
4. Ashley James

5. Amy Maine applied for initial legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Maine disclosed a 2015 dissolution of marriage as well as two work terminations. The first termination occurred in March 2016 when she was working as a hostess for a restaurant and was terminated because of tardiness. The second termination occurred in October 2016 when she worked as a receptionist for a law firm. Ms. Maine stated she was terminated for failing to attend work on a consistent basis. Ms. Maine stated that at the time of her employment at the law firm she was dealing with personal issues and was also attending school full time.

Division recommends approval of initial legal document preparer certification for Amy Maine.

6. Lindsay Brown applied for initial legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Brown disclosed two work terminations that occurred in 2010 and 2018. Ms. Brown stated that in the 2010 work termination she was terminated for falsifying her time card. Ms. Brown stated that it was a common occurrence with representatives as the dates would revert if you toggle between screens and she only did it once but was still let go. In the 2018 work termination, Ms. Brown stated that she was terminated for using her personal email account on a company computer. At that time, Ms. Brown was working for a licensed fiduciary. The Division did not reach out to the licensed fiduciary as they are currently involved in an active complaint with a pending hearing.

Division recommends approval of initial legal document preparer certification for Lindsay Brown.

7. Tammy Harman applied for initial legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Harman disclosed several civil matters to include two debt related matters that were filed in 2012 and 2014 and have since been dismissed. Ms. Harman also disclosed a 2009 work termination when her fingerprint clearance card was temporarily suspended while she was working as a caregiver. The suspension was due to a 2009 misdemeanor domestic issue that resulted in her being charged with assault and disorderly conduct. Ms. Harman entered and completed a diversion program and all her charges were subsequently dismissed.

Ms. Harman's criminal matter was over 9 years ago and, at the conclusion of Division's investigation, she has not incurred any criminal charges or has exhibited a pattern of criminal behavior.

Division recommends approval of initial legal document preparer certification for Tammy Harman.

8. Heidi Curtis-Bernard applied for initial legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Curtis-Bernard disclosed several civil and criminal matters she was involved in, to include four Orders of Protection. The Orders of Protection were filed in 2001, 2002 and 2018 with Ms. Curtis-Bernard being listed as a plaintiff in three of them and a defendant in one. Three of the Orders of Protections were quashed including the one listing Ms. Curtis-Bernard as a defendant. Ms. Curtis-Bernard also disclosed a 2013 disorderly conduct misdemeanor conviction and has successfully completed all the terms that were mandated in the sentencing.

Ms. Curtis-Bernard failed to disclose a 2001 petition for a dissolution of marriage and a 2014 Lower Court Appeals matter that originated from Gilbert Municipal Court. Ms. Curtis-Bernard stated that she was not intentionally trying to withhold information from the Board or Division staff. Ms. Curtis-Bernard had to disclose 16 items in her application and disclosed 14 of them. All of Ms. Curtis-Bernard's criminal matters occurred over 5 years ago and she has not incurred any other criminal charges or convictions. Ms. Curtis-Bernard has fully disclosed her past criminal conduct.

Division recommends approval of initial legal document preparer certification for Heidi Curtis-Bernard.

9. Nina Alley applied for initial legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Alley disclosed three D.U.I.s that occurred in 1996, 2003 and 2008. Ms. Alley also disclosed a recent work termination. Ms. Alley stated that she was in her probationary period and had failed to complete a task within a prescribed time and was let go.

Ms. Alley failed to disclose three civil matters in which she was listed as a party. These matters included two dissolution of marriages that occurred in 1999 and 2013 as well as a 2017 Pima Justice Court case in which Ms. Alley was listed as a plaintiff. Ms. Alley stated that the justice court case was related to landlord issue regarding a deposit and ended up being dismissed with no parties at fault. Ms. Alley apologized for the non-disclosures stating that she was not trying to hide anything and had misread the background question.

Division recommends approval of initial legal document preparer certification for Nina Alley with the standard non-disclosure language.

10. Nicole Sears applied for initial legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Sears failed to disclose a 2015 motor vehicle tort case in which she was listed as a defendant. Ms. Sears apologized and stated that it was her mistake and she was very nervous filling out the application and was not thinking about that case as she did not have to attend any court proceedings or make any depositions.

The Division recommends approval of initial legal document preparer certification for Nicole Sears with the standard Non-Disclosure Language.

11. Jared Jeter

12. Horizon Legal Planning, LLC

Jared Jeter and Horizon Legal Planning, LLC have applied for initial legal document preparer certification.

Jared Jeter applied for initial legal document preparer certification. The applicant has successfully passed the program examination and has submitted a complete application demonstrating that he meets the minimum education and experience requirements. Mr. Jeter disclosed three work terminations that occurred in 2005, 2007 and 2016. Mr. Jeter stated that he was not provided a reason for his last work termination. Mr. Jeter also holds a Juris Doctorate degree from Southern University.

Jared Jeter is listed in the Horizon Legal Planning, LLC initial LDP Business application as the designated principal. The company is in good standing with the Arizona Corporation Commission. Zachary Dana, a listed business member for Horizon Legal Planning, LLC disclosed a 2011 dissolution of marriage but failed to disclose a 2014 petition for an injunction of harassment in which he was listed as the plaintiff. Horizon Legal Planning, LLC stated that the omission from the application was an accidental oversight and apologized for the non-disclosure. Mr. Dana is currently an active in good standing attorney within the state of Arizona.

Division recommends approval of initial legal document preparer certification for Jared Jeter with the below listed language.

On November 19, 2018, the Board of Legal Document Preparers granted your application for certification. In doing so, the Board instructed Staff to caution you concerning the terms of ACJA §7-208(J)(5)(c) which prohibits the use of the terms JD, Esq. law office or other similar terms.

Staff also recommends approval of initial legal document preparer certification for Horizon Legal Planning, LLC with the standard non-disclosure language and the below listed cautionary language that is intended for individuals or entities that have or are active licensed attorneys.

On November 19, 2018, the Board of Legal Document Preparers granted your application for certification. In doing so, the Board instructed Staff to caution you concerning the terms of ACJA §7-208(J)(5)(c) which prohibits the use of the terms JD, Esq. law office or other similar terms. As a member of the Arizona State Bar, the Board's certification actions are not intended to address any responsibilities or ethical obligations you may have as a licensed member.

BOARD OF LEGAL DOCUMENT PREPARERS

Agenda Summary - Monday, November 19, 2018

4) RENEWAL CERTIFICATION APPLICATIONS

4-A: Review, discussion and possible action regarding the following applications for renewal of business entity and/or individual legal document preparer certification:

1. Fishgold Financial Services Limited applied for renewal of business entity legal document preparer certification. The business has submitted a complete renewal application and the background has been investigated for the renewal period. The application is complete, no information has been presented during the background review which is contrary to renewal of standard certification being granted and the certificate holder has demonstrated it meets the minimum eligibility requirements for renewal of standard certification.

It is recommended renewal of standard certification be granted to Fishgold Financial Services Limited

2. Irene Mayer

3. Scottsdale Condominium Management, Inc

Irene Mayer applied for renewal of legal document preparer individual and business entity renewal as designated principal for Scottsdale Condominium Management, Inc. certifications. The applicant submitted complete renewal applications and the applicant's backgrounds have been investigated for the renewal period.

Ms. Mayer answered "No" on her renewal application to the background information questions. Division found an undisclosed civil case for both herself and her business, Scottsdale Condominium Management, Inc. Although the civil suit ended in Mayer's favor, it should have been disclosed.

It is recommended renewal of individual and business entity certification be granted to Irene Mayer and Scottsdale Condominium Management, Inc. with Non-Disclosure Language.

4. Dawn Kaiser applied for renewal of legal document preparer (LDP) renewal certification. The applicant submitted a complete renewal application and the applicant's background has been investigated for the renewal period.

Ms. Kaiser answered "Yes" on her renewal application to the background information questions. Kaiser submitted an affidavit regarding a civil complaint, not relevant to the renewal period. Division's investigation discovered an undisclosed bankruptcy, there were no adversary complaints.

Ms. Kaiser said, "I thought I had told Division, and am sorry that I forgot."

It is recommended renewal of standard certification be granted to Dawn Kaiser with non-disclosure language.

5. TFC Ventures, Inc applied for business renewal. The company's principal is Lori Kort. Ms. Kort had a business member with a divorce which was not disclosed. The business member was added to help wind down the business, which has been accomplished. The business member was removed at Ms. Kort's request. The business assets and property were sold effective September 1, 2017.

Staff recommends approval of the business certification from July 1, 2017, as well as withdrawal of TFC Ventures, Inc. as a CLDP business effective September 1, 2017.

BOARD OF LEGAL DOCUMENT PREPARERS

Agenda Summary - Monday, November 19, 2018

5) CERTIFICATION AND ELIGIBILITY

5-A: Review, discussion and possible action regarding requests for Voluntary Surrender from Anthony Weber.

Anthony Weber was granted certification on March 28, 2016. The Division has received a request from Mr. Weber to voluntarily surrender his certificate.

ACJA § 7-201(E)(7) reads:

A certificate holder in good standing may surrender their certificate to the board. However, the surrender of the certificate is not valid until accepted by the board. The board or division staff may require additional information reasonably necessary to determine if the certificate holder has violated any provision of the statutes, court rules and this section or the applicable section of the ACJA. The surrender does not prevent the commencement of subsequent discipline proceedings for any conduct of the surrendered certificate holder occurring prior to the surrender.

Division records indicate that there are no pending complaints against Mr. Weber's certification.

It is recommended the Board accept the request of Anthony Weber to voluntarily surrender his legal document preparer certification.